

By-law 17 – Qualifications Accreditation Scheme

In accordance with Rule 85 of the EIANZ Rules of Association ('the Association's Rules'), this By-law is prescribed by the Board of the Association ('the EIANZ Board') to provide for the establishment and administration of the Qualifications Accreditation Scheme ('the Scheme'), a program administered by EIANZ ('The Association') and the Accreditation Board.

Note: the terms 'environment'/'environmental' and 'environmental practice' are defined in Rule 4 of the Rules of Association, including that 'environmental practice' relates to aspects of both the biophysical and socio-economic environment.

17.1 Objectives and Purpose

- (1) The objectives of the Scheme are to ensure that:
 - (a) qualifications in environmental science, environmental management, environmental sustainability, and such other fields that contribute to environmental practice as may be approved by the EIANZ Board on the recommendation of the Accreditation Board, are of an appropriate quality and reflect the environmental skills, knowledge and ethical standards of the environment profession;
 - (b) qualifications evolve to reflect changes in environmental skills and knowledge necessary to prepare environmental practitioners for diverse roles in industry, government, education and research, and the community; and
 - (c) environmental studies programs are accountable for delivering high quality qualifications that serve the needs of the environment and society.
- (2) The purpose of the Scheme is to encourage the development, delivery and recognition of a diverse range of quality qualifications in environmental science, environmental management, environmental sustainability, and such other fields that contribute to environmental practice as may be approved by the EIANZ Board on the recommendation of the Accreditation Board, that educate students to a consistent standard that is appropriate for entry to and careers in the environment profession.

17.2 Legal status

- (1) EIANZ is a single entity established under the *Associations Incorporation Reform Act 2012 (Vic)*, a registrable Australian body under the *Corporations Act 2001 (Cth)*, a corporation registered as trading in New Zealand under the *Companies Act 1993 (NZ)*, and a registered charity under the *Australian Charities and Not-for-profits Commission Act 2012 (Cth)*.
- (2) The Scheme is an identified program and the property of the Association.

17.3 Role of the EIANZ Board

- (1) In relation to the Scheme, the EIANZ Board shall be responsible for:
 - (a) appointing members of the Accreditation Board;
 - (b) approving the annual budget for the Scheme;
 - (c) general administration of the Scheme, including,
 - (i) the marketing and promotion of the Scheme; and
 - (ii) oversight of the operation of the Scheme.
- (2) The EIANZ Board may refer matters within the scope of the purposes of the Scheme to the Accreditation Board for consideration and advice.

17.4 Role of the Accreditation Board

- (1) In relation to the Scheme, the Accreditation Board shall be responsible for:
 - (a) ensuring impartiality relating to the accreditation and re-accreditation of qualifications, that processes followed are fair among all academic institutions seeking accreditation, and that commercial, financial or other pressures do not compromise impartiality;
 - (b) the appointment and oversight of Registrars to assist with the administration of the assessment process;
 - (c) the appointment and oversight of Visiting Panels to assess applications for the accreditation of qualifications;
 - (d) the establishment, appointments to and oversight of technical committees with terms of reference approved by the EIANZ Board;
 - (e) promotion of the Scheme to academic institutions and industry bodies;
- (2) While the Accreditation Board is a subsidiary body reporting to the EIANZ Board, responsibility for the process followed and decisions made relating to the accreditation of qualifications under the Scheme is solely vested in the Accreditation Board.
- (3) The Accreditation Board shall furnish advice to the Board with respect to:
 - (a) the criteria for accreditation;
 - (b) the fees, levies and charges collected by the Scheme;
 - (c) the marketing and promotion of the Scheme;
 - (d) the strategic direction of the Scheme; and
 - (e) appointments to the Accreditation Board.
- (4) The Accreditation Board may, at its own discretion, consider and provide the Board with advice in writing on any matter of the kind referred to in sub-rule (3) or on any matter within the scope of the purposes of the Scheme.

17.5 Accreditation Board – powers and delegation

- (1) The Accreditation Board, within the limits of the financial and other resources available to the Scheme, and the policies and practices of the Association, is delegated power to:
 - (a) Accredite qualifications which satisfy the criteria for accreditation under the Scheme;

- (b) represent and advocate for the Scheme to academic and industry bodies;
 - (c) develop and document the elements of the Scheme within the scope of its responsibilities;
 - (d) suspend or withdraw the accreditation of qualifications which do not satisfy the criteria for accreditation under the Scheme;
 - (e) establish and oversee Visiting Panels or committees consisting of Certified Environmental Practitioners, EIANZ members and other persons, with terms of reference approved by the EIANZ Board;
 - (f) within budget, determine honoraria payable to persons voluntarily involved in the operation of the Scheme, other than sitting fees or honoraria for members of the Accreditation Board which shall be determined by the EIANZ Board;
 - (g) make and approve documentation regarding the process of accreditation of qualifications under the Scheme.
- (2) The Accreditation Board may delegate its powers to any member of the Accreditation Board, a Registrar or Visiting Panel, committee, committees appointed by the Accreditation Board, or staff, other than:
- (a) this power of delegation;
 - (b) the power to accredit qualifications which satisfy the criteria for accreditation under the Scheme;
 - (c) the power to suspend or withdraw the accreditation of qualifications which do not satisfy the criteria for accreditation under the Scheme.
- (3) Any delegation by the Accreditation Board must be made by an absolute majority of the Accreditation Board, be in writing, and may be subject to conditions and limitations it considers appropriate.
- (4) Any delegation may be revoked in writing, in whole or in part, at the sole discretion of the Accreditation Board.

17.6 Particulars of Accreditation

- (1) Accreditation under the Scheme shall be available for qualifications in the fields of environmental science, environmental management, environmental sustainability, and such other fields that contribute to environmental practice as shall be determined by the EIANZ Board, after consulting with the Accreditation Board.
- (2) The Scheme shall be open to all educational institutions in Australia and New Zealand that teach qualifications at or above Level 7 Bachelor degrees in the Australian Qualifications Framework or the New Zealand Qualifications Framework.
- (3) Accreditation under the Scheme may be for a period up to five (5) years; and a qualification may be re-accredited for further periods of up to five (5) years, subject to the criteria for accreditation being satisfied.

17.7 Criteria for accreditation or re-accreditation of qualifications

- (1) The criteria for accreditation in the fields of environmental science, environmental management, environmental sustainability, and such other fields that contribute to environmental practice as may be approved by the EIANZ Board on the recommendation of the Accreditation Board, are those approved from time to time by the EIANZ Board in the Qualifications Accreditation Scheme Manual.
- (2) The objectives, purpose, and criteria for accreditation under the Scheme shall be reviewed by the EIANZ Board with the advice of the Accreditation Board every five (5) years, in consultation with the environment profession, employers and academic institutions in Australia and New Zealand.

17.8 Fees

- (1) The Association may collect fees for the administration of the Scheme as follows:
 - (a) application fees for accreditation;
 - (b) application fees for re-accreditation;
 - (c) annual fees; and
 - (d) such other fees, levies and charges determined by the EIANZ Board after consulting with the Accreditation Board.
- (2) The Association shall, once each financial year, review and set the fees for the administration of the Scheme.
- (3) Non-payment of fees, when due and payable, is grounds for the Accreditation Board to:
 - (a) not process an application for accreditation or re-accreditation; or
 - (b) withdraw the accreditation of a qualification.

17.9 Certificates

- (1) The Accreditation Board shall, for each accredited qualification, shall cause to be provided a certificate bearing the full name of the qualification, the name of the educational institution, a reference to the Scheme and the Association, and the authorisation of the Accreditation Board.
- (2) The certificate is the property of the Association, and where accreditation has been withdrawn, the Accreditation Board may require the return of the certificate.

17.10 Register of accredited qualifications

- (1) The Association shall maintain a register of accredited qualifications containing, for each accredited qualification, the:
 - (a) name and identifying codes of the qualification;
 - (b) name of the educational institution at which the qualification is taught;
 - (c) date of initial accreditation;
 - (d) period of accreditation; and
 - (e) whether accreditation is current or has been withdrawn;
 - (f) and such other information as it may determine.

17.11 Accreditation Board - membership and appointment

- (1) Members of the Accreditation Board shall be appointed by a resolution of an absolute majority of the EIANZ Board.
- (2) The Accreditation Board shall consist of at least five (5) and not more than seven (7) suitably qualified persons of which there shall be:
 - (a) a majority who are EIANZ voting members;
 - (b) at least one (1) Certified Environmental Practitioner;
 - (c) at least two (2) persons who have previously been a member of the Qualifications Accreditation Scheme Board.
 - (d) a fair representation of genders, and a diversity of representation with respect to areas of environmental practice, experience in university program/course design and delivery, and geographic locations (and should include representation of both Australia and New Zealand).
- (3) The Accreditation Board shall not include members of the EIANZ Board
- (4) Prior to the expiration of the term of office of a member of the Accreditation Board, or as soon as practical following notification of a vacancy, the Association shall implement an open and transparent process that engages EIANZ members and current Certified Environmental Practitioners, calling for applications for membership of the Accreditation Board.
- (5) A member of the Accreditation Board shall be appointed for a term of three (3) years and shall be eligible for re-appointment for two (2) further terms.
- (6) Each member of the Accreditation Board shall receive a formal letter of appointment setting out the responsibilities of the Accreditation Board, and the duties and obligations of members of the Accreditation Board.

17.12 Accreditation Board - Chair

- (1) The Accreditation Board, on a resolution by an absolute majority, shall appoint one of its members to be the Chair.
- (2) The Chair shall serve for the term of their appointment to the Accreditation Board, and shall be eligible for reappointment as Chair if reappointed to the Accreditation Board.
- (3) The Chair of the Accreditation Board shall preside at its meetings, liaise with the EIANZ Board, and represent and advocate for the Scheme to other audiences.
- (4) In the absence of the Chair at any meeting of the Accreditation Board, the members present shall appoint one of their number to chair the particular meeting.
- (5) The Chair of the Accreditation Board may resign their appointment as Chair in writing, addressed to the Secretary of the Association.
- (6) The appointment as Chair of the Accreditation Board may be revoked in accordance with a resolution of an absolute majority of the members of the Accreditation Board or an absolute majority of the EIANZ Board.

17.13 Accreditation board - resignation and removal of Accreditation Board members

- (1) A member of the Accreditation Board may resign their appointment in writing, addressed to the Chair of the Accreditation Board and the Secretary of the Association.
- (2) A member of the Accreditation Board who fails to attend three (3) consecutive regular scheduled Accreditation Board meetings, without leave of absence approved by the Chair of the Accreditation Board, shall be automatically deemed to have resigned, and a casual vacancy shall exist from the date of the third meeting.
- (3) A member of the Accreditation Board who becomes disqualified from managing a corporation, within the meaning of the *Corporations Act 2001 (Cth)* or the *Companies Act 1993 (NZ)*; or is disqualified from being a responsible person of a registered charity under the *Australian Charities and Not-for-profits Commission Act 2012 (Cth)* shall be automatically deemed to have resigned, and a casual vacancy shall exist from the date of the deemed resignation.
- (4) A member of the Accreditation Board found by the Disciplinary Committee to be in breach of the Association's Rules, By-laws or Code of Ethics and Professional Conduct, shall be automatically deemed to have resigned, and a casual vacancy shall exist from the date of the deemed resignation.
- (5) A member of the Accreditation Board may be removed from office in accordance with a resolution of an absolute majority of the members of the EIANZ Board, and a casual vacancy shall exist from the date of the resolution of the EIANZ Board.
 - (a) A member of the Accreditation Board shall not be removed from office for exercising their responsibility for the independent, objective assessment of applicants for accreditation and re-accreditation.
 - (b) A member of the Accreditation Board shall not be removed from office unless that member is not acting in good faith in the best interests of the Scheme.

17.14 General duties of members of the Accreditation Board

- (1) As soon as practical after being appointed to the Accreditation Board, a member shall become familiar with the Association's Rules, this By-law, the Code of Ethics and Professional Conduct, and the policies and administrative procedures that inform the operation of the Association and the Scheme.
- (2) The Accreditation Board is collectively responsible for the accreditation of qualifications under the Scheme in accordance with the Rules and this By-law; and ensuring that its individual members comply with the Association's Rules, this By-law, and the Code of Ethics and Professional Conduct, and any laws and regulations with which the Association must comply.
- (3) Members of the Accreditation Board are bound by the policies of the Association.
- (4) Members of the Accreditation Board must exercise their powers and discharge their duties with reasonable care and diligence:

- (a) in good faith in the best interests of the Scheme; and
 - (b) for a proper purpose.
- (5) Members and former members of the Accreditation Board must not make improper use of:
 - (a) their position; or
 - (b) information acquired or accessed by virtue of holding their position;so as to gain an advantage for themselves, any other person or organisation, or cause detriment to the Scheme or the Association.

17.15 Conflicts of Interest

- (1) A member of the Accreditation Board, or any person who is engaged in the implementation of the Scheme, who has a material personal or pecuniary interest in a qualification being assessed for accreditation, or, a matter being considered at a meeting of the Board, must disclose the nature and the extent of that interest to the Board.
- (2) The person:
 - (a) must not participate in the assessment for accreditation of a qualification;
 - (b) must not be present while the matter is being considered at the meeting; and
 - (c) must not vote on the matter.
- (3) This requirement does not apply to a material personal or pecuniary interest:
 - (a) that exists only because the person belongs to a class of persons for whose benefit the Scheme is established; or
 - (b) that the person has in common with all, or a substantial proportion of, a class of persons recognised under the Scheme; or
 - (c) that exists only because a person is employed by a class of organisations for whose benefit the Scheme is established.
- (4) Additional guidance regarding Conflicts of Interest, including perceived or potential conflicts of interest, can be found in the EIANZ Conflicts of Interest Policy.

17.16 Meetings of the Accreditation Board

- (1) The Accreditation Board must meet at least four (4) times per calendar year, at the dates, times and places it determines, either in person, using electronic means of communication, or in combination.
- (2) Notice stating the date, place and time of each meeting of the Accreditation Board, and the business to be conducted, must be given to its members no later than seven (7) days before the date of the meeting.
- (3) The business to be conducted at a meeting of the Accreditation Board is to be the business for which notice is given, unless otherwise agreed by an absolute majority of the Accreditation Board.
- (4) The procedures to be followed and the order of business at a meeting are to be determined from time to time by the Accreditation Board.

- (5) The Accreditation Board may meet without notice for the transaction of urgent specific business:
 - (a) subject to resolutions made at the meeting being passed by an absolute majority of the Accreditation Board; and
 - (b) the only business conducted at the meeting being the business for which the meeting is convened.
- (6) The chair of a meeting of the Accreditation Board may, with the approval of a majority of members present at a meeting, permit other persons to be present and contribute to, but not vote, at a meeting.
- (7) No business may be conducted at an Accreditation Board meeting unless a quorum is present.
- (8) The quorum for a meeting of the Accreditation Board is the presence of an absolute majority of its members.
- (9) If a quorum is not present within thirty (30) minutes of the notified time for a meeting of the Accreditation Board, the meeting must be adjourned and notice given of a new meeting.

17.17 Decision making

- (1) On any question arising at a meeting of the Accreditation Board, each member has one (1) vote.
- (2) A decision is passed if a majority of members present at the meeting vote in favor of the decision.
- (3) Sub-rule 17.19(2) does not apply if the decision is required to be made by an absolute majority of the members of the Accreditation Board.
- (4) In the event of an equality of votes, the chair of the meeting has a second or casting vote.
- (5) Voting by proxy is not permitted.

17.18 Records of meetings of the Accreditation Board

- (1) The Accreditation Board must ensure that minutes of each meeting are taken and kept.
- (2) The minutes must record the following:
 - (a) The date, time and place of the meeting;
 - (b) the names of persons in attendance at the meeting, and the capacity of that attendance;
 - (c) the business considered at the meeting;
 - (d) any resolution on which a vote is taken and the result of the vote; and
 - (e) any material personal or pecuniary interest disclosed and the action taken following that disclosure.

17.19 Registrars

- (1) The Accreditation Board may appoint, on such terms as it determines, one or more Registrars to assist with the administration of the accreditation process under the Scheme.
- (2) The appointment of Registrars shall be an open and transparent process that engages EIANZ members, and current Certified Environmental Practitioners.
- (3) Registrars may be responsible for:
 - (a) determining whether applications for accreditation have been properly made;
 - (b) determining whether applications for re-accreditation have been properly made; and
 - (c) such other responsibilities as may be determined by the Accreditation Board within the scope of its responsibilities.
- (4) Registrars who are not employees of the Association may be paid honoraria for services rendered, at a rate determined by the Accreditation Board.
- (5) Registrars are bound by the policies of the Association.

17.20 Visiting Panels

- (1) The role of a Visiting Panel is to:
 - (a) review an educational establishment's Accreditation Submission;
 - (b) visit the educational establishment to review the Accreditation Submission, delivery and teaching of the qualification; and
 - (c) advise the Accreditation Board on the eligibility of the qualification for accreditation having regard to the criteria for accreditation.
- (2) The Accreditation Board may appoint Visiting Panels, each consisting of three (3) EIANZ members, Certified Environmental Practitioners and senior academics with experience in the design and teaching of environmental studies programs.
- (3) A decision to vary the composition of a Visiting Panel must be made on a case-by-case basis by an absolute majority of the Accreditation Board.
- (4) The Accreditation Board may maintain a pool of suitably qualified members of Visiting Panels, consisting of EIANZ members, Certified Environmental Practitioners, and senior academics with experience in the teaching of environmental studies programs.
- (5) The Qualifications Accreditation Scheme Board may collaborate with other organisations to identify potential members of Visiting Panels.
- (6) The appointment processes for Visiting Panels, and the creation of a pool of qualified members for appointment to Visiting Panels, shall be open and transparent, and engage EIANZ members and current Certified Environmental Practitioners.
- (7) Visiting Panels shall review applications for accreditation and report to the Accreditation Board on whether an educational establishment's application should be approved, rejected or deferred for further assessment.

- (8) The Accreditation Board shall appoint one member of the Visiting Panel to be the Chair of the panel, and to take responsibility for convening meetings of the panel, keeping records of meetings, and compiling reports for the Accreditation Board on an application for accreditation.
- (9) Decisions of a Visiting Panel shall be taken by an absolute majority vote of its members.
- (10) Accreditation Assessment Panel members may be paid honoraria for services rendered, at a rate determined by the Accreditation Board.
- (11) Visiting Panel members are bound by the policies of the Association.

17.21 Finance

- (1) All funds, from whatever source, associated with the Scheme are the property of the Association.
- (2) The funds for the operation of the Scheme may be derived from fees, levies, grants received and the sale of goods and services.
- (3) Any surplus funds or assets arising from the operation of the Scheme must not be distributed directly or indirectly to persons engaged in the administration of the Scheme, or who have the benefit of the Scheme.

This clause does not prevent the Association from paying a person engaged in the administration of the Scheme, or who has the benefit of the Scheme:

- (a) sitting fees or honoraria; or
- (b) reimbursement for expenses properly incurred; or
- (c) for goods or services provided on a competitive commercial basis to implement the Scheme;

provided that this is done in good faith on terms no more favorable than if the person was not engaged in the administration of the Scheme or had the benefit of the Scheme.

- (4) The funds for the Scheme shall be sourced and identified, separately and independently from the general funds of the Association.
- (5) Costs incurred in conducting the Scheme shall be charged against funds of the Scheme.
- (6) The Association shall keep and prepare financial records and statements that correctly record and explain the transactions, financial position and performance of the Scheme.

17.22 Annual financial auditing

- (1) The financial and other activities of the Scheme shall be audited annually by the independent auditor appointed to audit the annual financial statements and activities of the Association.
- (2) The cost of preparing annual financial statements and conducting an annual audit of the Scheme shall be a charge against the funds of the Scheme.

- (3) The Accreditation Board shall collaborate in a timely manner with the Association's appointed accountant and the independent auditor in the provision of information for the preparation of financial statements and the conduct of the audit.

17.23 Staff

- (1) Staff may be employed by the Association to support the administration and operation of the Scheme.
- (2) Staff members may have roles and responsibilities related to the Scheme and other aspects of the Association's activities.

17.24 Reporting and Consultation

- (1) The Association shall report annually to EIANZ members and Certified Environmental Practitioners on the operations, achievements and financial performance of the Scheme through the annual report of the Association.
- (2) The Accreditation Board shall report regularly, and at least each financial quarter year, to the EIANZ Board on the general performance and achievements of the Scheme.
- (3) The EIANZ Board and the Accreditation Board shall keep each other informed, consulting regularly, and at least each financial quarter year; on the general management and promotion of the Scheme, matters which may affect its operations and performance, and other matters of mutual interest.

17.25 Indemnity

- (1) The Association shall arrange such insurance cover as is necessary to protect it, and persons acting on its behalf, from any liability arising from the operation of the Scheme.
- (2) The cost of such insurance cover, whether separately arranged or included in the Association's general insurance cover, shall be a charge against the funds of the Scheme.
- (3) The Association shall establish and regularly review the risk profile of the activities associated with the Scheme and implement appropriate risk management strategies.

17.26 Intellectual Property

- (1) The Association shall arrange to trademark, copyright or otherwise protect, to the extent practicable, the intellectual property of the Association in the Scheme, including but not limited to:
 - (a) the mark that identifies an accredited qualification;
 - (b) the name "EIANZ Accredited Environmental Qualification".
- (2) The cost of protecting the intellectual property of the Association in the Scheme shall be a charge against the funds of the Scheme.
- (3) The Association shall, on such terms as it sees fit, license and appropriately manage the use of any intellectual property, including by an academic institution teaching an accredited qualification.

- (4) An academic institution teaching an accredited qualification must not use the intellectual property of the Association, other than in accordance with the terms of a license given for its use.

17.27 Custody and Inspection of Books and Records

- (1) Any register of accredited qualifications, minutes of meetings of the Accreditation Board, financial records, books, and any other relevant documents relating to the administration of the Scheme, are books and records of the Association for the purpose of Rule 83 of the Rules of Association.

17.28 Scheme reviews and audits

- (1) The Association shall continuously monitor and review the operation of the Scheme, to ensure that it remains focused on its objectives and purpose.
- (2) The Accreditation Board shall conduct and document an annual internal review of the scheme's processes and report to the EIANZ Board on its continuing suitability, adequacy and effectiveness.

17.29 Winding-up of the Scheme

- (1) The Scheme may only be wound-up in accordance with a special resolution of the Association.
- (2) In the event of the winding up of the Scheme, all funds, records and surplus assets must be returned to the direct control of the EIANZ Board.